

Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence and any paper referred to as being attached or enclosed is being mailed via "First Class Mail" of the United States Postal Service on the date shown below in an envelope addressed to the Assistant Commissioner for Patents, U.S. Patent & Trademark Office, Washington, D.C. 20231

Dated: July 23, 2002

By: Karyn F. Massie
Karyn F. Massie

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)
For Design, Provisional, or Utility ApplicationsPATENT
APPLICATIONCOMPLETION Under
Rule 53(f)

Attn: Application Division

In re PATENT APPLICATION of

Inventor(s): HUANG, et al

Appl. No.: 10 | 041,859
Series Code ↑ | Serial No. ↑Atty.Dkt. P | 087102/0272537 |
M# | Client Ref

Filed: January 7, 2002

Title: INHIBITORS OF APOPTOSIS PROTEINS AND NUCLEIC ACIDS AND METHODS FOR MAKING AND USING THEM

Hon. Commissioner of Patents
Washington, DC 20231

Date: July 23, 2002

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. Notice to File Missing Parts ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☐ Abstract
- b. # pages of Specification (only spec. & claims)
- c. ☐ Drawing(s)
No of Sheets
- ☐ Fig(s).
4. ☐ Letter filing formal drawing attached.
5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

| Application No. | Filing Date | Application No. | Filing Date |
|-----------------|-----------------|-----------------|-------------|
| (1) 60/260,478 | January 8, 2001 | (2) | |
| (3) | | (4) | |
| (5) | | (6) | |

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in _____

8.

| Application No. | Filing Date | Application No. | Filing Date |
|-----------------|-------------|-----------------|-------------|
| (1) | | (2) | |

9. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / filed on _____10. Small Entity Status ☐ is Not claimed ☒ is claimed (file PAT-256 if this is the first claim of Small Entity Status)11. ☒ Attached: Substitute Drawings in compliance with 37 CFR 1.84(g); Check in the amount of \$785.00; and return postcard.12. ☐ Please see the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY
CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE**

| | | Large/Small Entity | | Fee Code |
|--|------------|--------------------------|------|-------------|
| 13. Basic Filing Fee Design Application | | \$330/\$165 | | 106/26 |
| Not Design Application | | \$740/\$370 | | 101/201 |
| 14. Total Effective Claims | minus 20 = | x \$18/\$9 | +0 | 103/203 |
| 15. Independent Claims | minus 3 = | x \$84/\$42 | +0 | 102/202 |
| 16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application) | | \$280/\$140 | +0 | 104/204 |
| 17. Surcharge for filing Declaration/filing fee late | | \$130/\$65 | +65 | 105/205 |
| 18. | | FILING FEE = \$65 | | |
| 19. Original due date: April 8, 2002 | | | | |
| 20. Petition is hereby made to extend the <u>original</u> due date to | | (1 mo) \$110/\$55 = | +720 | 115/215 |
| cover the date this response is filed for which the requisite fee | | (2mos) \$400/\$200 = | | 116/216 |
| is attached | | (3mos) \$920/\$460 = | | 117/217 |
| | | (4mos) \$1,440/\$720 = | | 118/218 |
| 21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee | | \$130 | +0 | 139 |
| 22. If "assignment" box 5 is X'd, add recording fee. | | \$40 | +0 | 581 |
| 23. Petition Fee for | | \$130 | +0 | |
| 24. | | TOTAL FEE = \$785 | | |

FEE ENCLOSED

Our Deposit Account No. 03-3975

Our Order No. 087102 /027 2537

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

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NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments